



Sen. Kimberly A. Lightford

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1 AMENDMENT TO HOUSE BILL 5065

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5065 on page 1, by  
3 inserting immediately below line 3 the following:

4 "Section 3. The Illinois Procurement Code is amended by  
5 changing Sections 15-15 and 15-25 as follows:

6 (30 ILCS 500/15-15)

7 Sec. 15-15. Publication. All volumes of the Illinois  
8 Procurement Bulletin shall be published at least once per  
9 month. Any volume, including volumes available in print format,  
10 shall be available through subscription for a minimal fee not  
11 exceeding publication and distribution costs. The Illinois  
12 Procurement Bulletin shall be distributed free to public  
13 libraries within Illinois and to minority, female, and  
14 disadvantaged organizations listed on the Department of  
15 Transportation Disadvantaged Business Enterprise Directory,  
16 the Department of Central Management Services Business

1 Enterprise Program and Small Business Vendors Directory, and  
2 the Capital Development Board's Directory of Certified  
3 Minority and Female Business Enterprises.

4 (Source: P.A. 90-572, eff. date - See Sec. 99-5.)

5 (30 ILCS 500/15-25)

6 (Text of Section before amendment by P.A. 96-795)

7 Sec. 15-25. Bulletin content.

8 (a) Invitations for bids. Notice of each and every contract  
9 that is offered, including renegotiated contracts and change  
10 orders, shall be published in the Bulletin and provided to  
11 minority, female, disadvantaged, and small business  
12 organizations, whose areas of certification are relative to the  
13 services solicited in such invitation for bids, listed on the  
14 Department of Transportation Disadvantaged Business Enterprise  
15 Directory, the Department of Central Management Services  
16 Business Enterprise Program and Small Business Vendors  
17 Directory, and the Capital Development Board's Directory of  
18 Certified Minority and Female Business Enterprises. The  
19 applicable chief procurement officer may provide by rule an  
20 organized format for the publication of this information, but  
21 in any case it must include at least the date first offered,  
22 the date submission of offers is due, the location that offers  
23 are to be submitted to, the purchasing State agency, the  
24 responsible State purchasing officer, a brief purchase  
25 description, the method of source selection, information of how

1 to obtain a comprehensive purchase description and any  
2 disclosure and contract forms, and encouragement to  
3 prospective vendors to hire qualified veterans, as defined by  
4 Section 45-67 of this Code, and qualified Illinois minorities,  
5 women, and residents discharged from any Illinois adult  
6 correctional center.

7 (b) Contracts let or awarded. Notice of each and every  
8 contract that is let or awarded, including renegotiated  
9 contracts and change orders, shall be issued to those  
10 organizations submitting responses to the solicitations,  
11 inclusive of the unsuccessful bidders, immediately upon  
12 contract let and award. Failure to give that notice shall  
13 result in tolling the time for filing a bid protest published  
14 in the next available subsequent Bulletin, and the applicable  
15 chief procurement officer may provide by rule an organized  
16 format for the publication of this information, but in any case  
17 it must include at least all of the information specified in  
18 subsection (a) as well as the name of the successful  
19 responsible bidder or offeror, the contract price, the number  
20 of unsuccessful responsive bidders, and any other disclosure  
21 specified in any Section of this Code. This notice must be  
22 posted in the online electronic Bulletin prior to execution of  
23 the contract.

24 (c) Emergency purchase disclosure. Any chief procurement  
25 officer, State purchasing officer, or designee exercising  
26 emergency purchase authority under this Code shall publish a

1 written description and reasons and the total cost, if known,  
2 or an estimate if unknown and the name of the responsible chief  
3 procurement officer and State purchasing officer, and the  
4 business or person contracted with for all emergency purchases  
5 in the next timely, practicable Bulletin. This notice must be  
6 posted in the online electronic Bulletin within 3 business days  
7 after the execution of the contract.

8 (d) Other required disclosure. The applicable chief  
9 procurement officer shall provide by rule for the organized  
10 publication of all other disclosure required in other Sections  
11 of this Code in a timely manner.

12 (e) The Department of Central Management Services, the  
13 Capital Development Board, the Department of Transportation,  
14 and the higher education chief procurement officer shall  
15 provide the Procurement Policy Board with the information and  
16 resources necessary, and in a manner, to effectuate the purpose  
17 of this amendatory Act of the 96th General Assembly.

18 (Source: P.A. 94-1067, eff. 8-1-06; 95-536, eff. 1-1-08.)

19 (Text of Section after amendment by P.A. 96-795)

20 Sec. 15-25. Bulletin content.

21 (a) Invitations for bids. Notice of each and every contract  
22 that is offered, including renegotiated contracts and change  
23 orders, shall be published in the Bulletin and provided to  
24 minority, female, disadvantaged, and small business  
25 organizations, whose areas of certification are relative to the

1 services solicited in such invitation for bids, listed on the  
2 Department of Transportation Disadvantaged Business Enterprise  
3 Directory, the Department of Central Management Services  
4 Business Enterprise Program and Small Business Vendors  
5 Directory, and the Capital Development Board's Directory of  
6 Certified Minority and Female Business Enterprises. The  
7 applicable chief procurement officer may provide by rule an  
8 organized format for the publication of this information, but  
9 in any case it must include at least the date first offered,  
10 the date submission of offers is due, the location that offers  
11 are to be submitted to, the purchasing State agency, the  
12 responsible State purchasing officer, a brief purchase  
13 description, the method of source selection, information of how  
14 to obtain a comprehensive purchase description and any  
15 disclosure and contract forms, and encouragement to  
16 prospective vendors to hire qualified veterans, as defined by  
17 Section 45-67 of this Code, and qualified Illinois minorities,  
18 women, and residents discharged from any Illinois adult  
19 correctional center.

20 (b) Contracts let or awarded. Notice of each and every  
21 contract that is let or awarded, including renegotiated  
22 contracts and change orders, shall be issued to those  
23 organizations submitting responses to the solicitations,  
24 inclusive of the unsuccessful bidders, immediately upon  
25 contract let and award. Failure to give that notice shall  
26 result in tolling the time for filing a bid protest published

1 ~~in the next available subsequent Bulletin, and the applicable~~  
2 ~~chief procurement officer may provide by rule an organized~~  
3 ~~format for the publication of this information, but in any case~~  
4 ~~it must include at least all of the information specified in~~  
5 ~~subsection (a), the name of the successful responsible bidder~~  
6 ~~or offeror, the contract price, the number of unsuccessful~~  
7 ~~responsive bidders, the information required in subsection (g)~~  
8 ~~of Section 20 10 if applicable, and any other disclosure~~  
9 ~~specified in any Section of this Code. This notice must be~~  
10 ~~posted in the online electronic Bulletin no later than 10~~  
11 ~~business days after the contract is awarded.~~

12 (c) Emergency purchase disclosure. Any chief procurement  
13 officer or State purchasing officer exercising emergency  
14 purchase authority under this Code shall publish a written  
15 description and reasons and the total cost, if known, or an  
16 estimate if unknown and the name of the responsible chief  
17 procurement officer and State purchasing officer, and the  
18 business or person contracted with for all emergency purchases  
19 in the next timely, practicable Bulletin. This notice must be  
20 posted in the online electronic Bulletin no later than 3  
21 business days after the contract is awarded. Notice of a  
22 hearing to extend an emergency contract must be posted in the  
23 online electronic Procurement Bulletin no later than 5 business  
24 days prior to the hearing.

25 (c-5) Business Enterprise Program report. Each purchasing  
26 agency shall post in the online electronic Bulletin a copy of

1 its annual report of utilization of businesses owned by  
2 minorities, females, and persons with disabilities as  
3 submitted to the Business Enterprise Council for Minorities,  
4 Females, and Persons with Disabilities pursuant to Section 6(c)  
5 of the Business Enterprise for Minorities, Females, and Persons  
6 with Disabilities Act within 10 business days after its  
7 submission of its report to the Council.

8 (c-10) Renewals. Notice of each contract renewal shall be  
9 posted in the online electronic Bulletin within 10 business  
10 days of the determination to renew the contract and the next  
11 available subsequent Bulletin. The notice shall include at  
12 least all of the information required in subsection (b).

13 (c-15) Sole source procurements. Before entering into a  
14 sole source contract, a chief procurement officer exercising  
15 sole source procurement authority under this Code shall publish  
16 a written description of intent to enter into a sole source  
17 contract along with a description of the item to be procured  
18 and the intended sole source contractor. This notice must be  
19 posted in the online electronic Procurement Bulletin before a  
20 sole source contract is awarded and at least 14 days before the  
21 hearing required by Section 20-25.

22 (d) Other required disclosure. The applicable chief  
23 procurement officer shall provide by rule for the organized  
24 publication of all other disclosure required in other Sections  
25 of this Code in a timely manner.

26 (e) The changes to subsections (b), (c), (c-5), (c-10), and

1 (c-15) of this Section made by this amendatory Act of the 96th  
2 General Assembly apply to reports submitted, offers made, and  
3 notices on contracts executed on or after its effective date.

4 (f) The Department of Central Management Services, the  
5 Capital Development Board, the Department of Transportation,  
6 and the higher education chief procurement officer shall  
7 provide the Procurement Policy Board with the information and  
8 resources necessary, and in a manner, to effectuate the purpose  
9 of this amendatory Act of the 96th General Assembly.

10 (Source: P.A. 95-536, eff. 1-1-08; 96-795, eff. 7-1-10 (see  
11 Section 5 of P.A. 96-793 for the effective date of changes made  
12 by P.A. 96-795).)"; and

13 on page 1, by inserting immediately below line 10 the  
14 following:

15 "Section 95. No acceleration or delay. Where this Act makes  
16 changes in a statute that is represented in this Act by text  
17 that is not yet or no longer in effect (for example, a Section  
18 represented by multiple versions), the use of that text does  
19 not accelerate or delay the taking effect of (i) the changes  
20 made by this Act or (ii) provisions derived from any other  
21 Public Act."